IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

Bail Appl..No. 1171 of 2007()

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CR.NO.25/06 OF ANTHIKKAD EXCISE RANGE

: PETITIONER/IST ACCUSED

RAJEEV.N.R. S/O.RAVEENDRAN,
NADUVIL PURAKKAL HOUSE, ANJUR P.O.
MUNDUR, THRISSUR DISTRICT.

BY ADV. SRI.FEBIN J.VELUKARAN

RESPONDENT: COMPLAINANT.

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
REPRESENTING EXCISE INSPECTOR, ANTHIKKAD EXCISE
RANGE.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 1171 OF 2007

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DATED THIS THE 28th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the 1st accused in C.R.No.25/06 of Anthikkad Excise Range for offences punishable under sections 8(1), 8(2) and 58 of the Abkari Act for allegedly transporting 100 litres of illicit spirit in an autorickshaw on 30.12.2006, seeks anticipatory bail.

2. An earlier petition for anticipatory bail filed by the petitioner as B.A.No.281/07 was got dismissed as withdrawn. His application for anticipatory bail before the Sessions Court, Thrissur was also dismissed. It is thereafter that the petitioner has again preferred this application for anticipatory bail.

3. It is too early to accept the petitioner's contention that he has been falsely implicated in the case. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn